

AMENDED IN ASSEMBLY APRIL 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 882**

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**Introduced by Assembly Member Cook**

February 17, 2011

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An act to add ~~Section 64.5 to and repeal Section 700.5 of, and to add and repeal Chapter 2.5 (commencing with Section 775) of Division 4 of, the Military and Veterans Code, relating to veterans.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 882, as amended, Cook. ~~Department of Veterans Affairs: consolidation of services to veterans.~~ *Veterans: benefits and services.*

Existing law establishes the Department of Veterans Affairs within state government and sets forth its powers and duties, including, but not limited to, administration of veterans benefits programs. Existing law establishes the California Veterans Board within the department and sets forth its powers and duties, including, but not limited to, its power to determine operational policy for the department.

This bill would, *until January 1, 2016*, establish the California Veterans Services and Workforce Development Division within the Department of Veterans Affairs for the purpose of coordinating and administering veterans assistance programs in the state, and would require the division to perform various functions and duties relating to the coordination and administration of veterans assistance programs, as specified. The bill would require the administrative and support staff responsible for the administration of the specified programs to be transferred from the Employment Development Department (*EDD*) to the division, and would require the costs of the transfer to utilize existing resources of the Department of Veterans Affairs.

*The federal Workforce Investment Act of 1998 provides for workforce investment activities, including activities in which states may participate. Existing law contains various programs for job training and employment investment, including work incentive and employment training outreach programs. Existing law, the California Workforce Investment Act, requires each local workforce investment board to establish at least one full service one-stop career center in the local workforce investment area and to provide specified job placement services.*

*This bill would, until January 1, 2016, establish the One-Stop Center Pilot Program For Veterans' Compensation and Benefits Assistance in the counties of Los Angeles and San Diego and in the city and county of San Francisco for the purpose of providing collaboration between the EDD and county veteran service officers in order to more effectively achieve increased compensation and pension benefit claims for California veterans through the established one-stop career centers, as specified. As part of the pilot program, the bill would require the department to enter into agreements with the counties and city and county in which the program is established in order to combine the resources and personnel of the county veteran service officers, the department, and the EDD. By imposing new duties on local government with respect to the implementation of these local programs, the bill would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

*This bill would make legislative findings and declarations as to the necessity of a special statute for the counties of Los Angeles and San Diego and the city and county of San Francisco.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature hereby finds and declares the  
2 following:

1 (a) California has the largest veteran population in the nation,  
2 comprised of an estimated 2 million veterans. Each month,  
3 thousands of military personnel are released from active service  
4 and face tremendous challenges transitioning back into civilian  
5 life.

6 (b) The challenges military veterans face are compounded by  
7 a complex system of veteran assistance programs that is difficult  
8 to navigate.

9 (c) The United States Department of Veterans Affairs expended  
10 approximately \$6 billion in California in the 2005 federal fiscal  
11 year. Of that amount, \$2.66 billion dollars was in disability  
12 payments (compensation and benefits) to veterans. The states that  
13 have the largest veteran populations in the nation are California,  
14 Florida, and Texas. Texas veterans have collected 44 percent more  
15 disability benefits than the amount collected by California veterans.

16 (d) Increasing disability benefit participation in California in  
17 an amount that would approach the national average could generate  
18 an additional \$330 million in annual payments to California  
19 veterans.

20 (e) It is the intent of the Legislature in enacting this act to  
21 consolidate the veterans assistance programs and their dedicated  
22 staff as identified in Section 64.5 of the Military and Veterans  
23 Code, as added by this act, within the California Veterans Services  
24 and Workforce Development Division of the Department of  
25 Veterans Affairs.

26 ~~SEC. 2. Section 64.5 is added to the Military and Veterans~~  
27 ~~Code, to read:~~

28 ~~64.5.— (a) The California Veterans Services and Workforce~~  
29 ~~Development Division is hereby established within the department~~  
30 ~~for the purpose of coordinating and administering veterans~~  
31 ~~assistance programs in the state. The Secretary of Veterans Affairs~~  
32 ~~shall have authority over the division.~~

33 ~~(b) The division shall do all of the following:~~

34 ~~(1) Coordinate with other state agencies that provide benefits~~  
35 ~~and assistance to veterans to ensure that information about veterans~~  
36 ~~assistance programs and benefits is made available to all state~~  
37 ~~agencies that serve veterans in the state.~~

38 ~~(2) Administer the Transition Assistance Program (TAP) and~~  
39 ~~the Disabled Veterans' Outreach Program (DVOP), and oversee~~  
40 ~~the duties of Local Veterans' Employment Representatives (LVER)~~

1 as prescribed under the federal Jobs for Veterans State Grants  
2 program, in cooperation with the Employment Development  
3 Department (EDD). The division shall work with staff from the  
4 EDD to develop a plan whereby responsibility for the  
5 administration of TAP, DVOP, and LVER shall be transferred  
6 from the EDD to the division. The development of the plan shall  
7 be completed on or before April 1, 2012.

8 (3) Ensure that other state agencies and officials that are  
9 involved in the implementation and administration of veterans  
10 services programs are informed when any changes in existing  
11 programs are required, or new programs are established that  
12 provide assistance and benefits to veterans, and require that those  
13 agencies and officials report to the division when those changes  
14 occur or new programs are established.

15 (4) Coordinate with staff from other state agencies, including,  
16 but not limited to, the Labor and Workforce Development Agency,  
17 the Employment Training Panel, the California Workforce  
18 Investment Board, the State Department of Mental Health, the  
19 Department of General Services, the State Department of Alcohol  
20 and Drug Programs, and representatives of the University of  
21 California, the California State University, and the California  
22 community colleges with regard to the provision of veterans  
23 services and benefits.

24 (e) (1) In complying with this section, all administrative and  
25 support staff responsible for the administration of the DVOP, TAP,  
26 and LVER shall be transferred from the EDD to the division.

27 (2) Any costs associated with the implementation of these  
28 transfers shall utilize existing resources of the Department of  
29 Veterans Affairs, as the operational cost of these programs utilizes  
30 funding from the Jobs for Veterans State Grant program, as  
31 prescribed within the United States Department of Labor.

32 SEC. 2. Section 700.5 is added to the Military and Veterans  
33 Code, to read:

34 700.5. (a) The California Veterans Services and Workforce  
35 Development Division is hereby established within the department  
36 for the purpose of coordinating and administering veterans  
37 assistance programs in the state. The Secretary of Veterans Affairs  
38 shall have authority over the division.

39 (b) The division shall do all of the following:

1     (1) *Coordinate with other state agencies that provide benefits*  
2     *and assistance to veterans to ensure that information about*  
3     *veterans assistance programs and benefits is made available to*  
4     *all state agencies that serve veterans in the state.*

5     (2) *Administer the Transition Assistance Program (TAP) as*  
6     *prescribed under the federal Jobs for Veterans State Grants*  
7     *program, in cooperation with the Employment Development*  
8     *Department (EDD). The division shall work with staff from the*  
9     *EDD to develop a plan whereby responsibility for the*  
10    *administration of the TAP shall be transferred from the EDD to*  
11    *the division. The development of the plan shall be completed on*  
12    *or before April 1, 2012.*

13    (c) (1) *In complying with this section, all administrative and*  
14    *support staff responsible for the administration of the TAP shall*  
15    *be transferred from the EDD to the division.*

16    (2) *Any costs associated with the implementation of these*  
17    *transfers shall utilize existing resources of the Department of*  
18    *Veterans Affairs, as the operational cost of these programs utilizes*  
19    *funding from the Jobs for Veterans State Grant program, as*  
20    *prescribed within the United States Department of Labor.*

21    (d) *This section shall remain in effect only until January 1, 2016,*  
22    *and as of that date is repealed, unless a later enacted statute, that*  
23    *is enacted before January 1, 2016, deletes or extends that date.*

24    SEC. 3. *Chapter 2.5 (commencing with Section 775) is added*  
25    *to Division 4 of the Military and Veterans Code, to read:*

26  
27         *CHAPTER 2.5. ONE-STOP CENTER PILOT PROGRAM FOR*  
28         *VETERANS' COMPENSATION AND BENEFITS ASSISTANCE*  
29

30    775. *For purposes of this chapter, the following terms have*  
31    *the following meanings:*

- 32    (a) *"Department" means the Department of Veterans Affairs.*  
33    (b) *"EDD" means the Employment Development Department.*  
34    (c) *"One-stop career center" means a one-stop career center*  
35    *established pursuant to Section 14230 of the Unemployment*  
36    *Insurance Code and located in the county of Los Angeles or San*  
37    *Diego or the city and county of San Francisco.*  
38    (d) *"Pilot project" means the One-Stop Center Pilot Program*  
39    *for Veterans' Compensation and Benefits Assistance established*  
40    *by this chapter.*

1     776. *The One-Stop Center Pilot Program For Veterans’*  
2     *Compensation and Benefits Assistance is hereby established in the*  
3     *counties of Los Angeles and San Diego and in the City and County*  
4     *of San Francisco for the purpose of collaboration between the*  
5     *department, the EDD, and the county veteran service officers of*  
6     *those respective counties and city and county in order to more*  
7     *effectively achieve increased compensation and pension benefit*  
8     *claims for California veterans through the established one-stop*  
9     *career centers as a part of the Local Veteran Employment*  
10    *Representative program, as prescribed by the United States*  
11    *Department of Labor.*

12    777. *For purposes of the pilot project, the department shall*  
13    *enter into agreements with the counties and city and county in*  
14    *which the program is established in order to combine the resources*  
15    *and personnel of the county veteran service officers, the*  
16    *department, and the EDD.*

17    778. *The sole purpose of the pilot project is to provide that the*  
18    *EDD and one-stop career centers share information with the*  
19    *county veterans service officers and collaborate in order to more*  
20    *effectively address the needs of our veterans.*

21    779. *This chapter shall remain in effect only until January 1,*  
22    *2016, and as of that date is repealed, unless a later enacted statute,*  
23    *that is enacted before January 1, 2016, deletes or extends that*  
24    *date.*

25    SEC. 4. *If the Commission on State Mandates determines that*  
26    *this act contains costs mandated by the state, reimbursement to*  
27    *local agencies and school districts for those costs shall be made*  
28    *pursuant to Part 7 (commencing with Section 17500) of Division*  
29    *4 of Title 2 of the Government Code.*

30    SEC. 5. *The Legislature finds and declares that a special law*  
31    *is necessary and that a general law cannot be made applicable*  
32    *within the meaning of Section 16 of Article IV of the California*  
33    *Constitution because of the unique need to assist the large*  
34    *populations of unemployed veterans in the counties of Los Angeles*  
35    *and San Diego and the city and county of San Francisco.*